

CHAPTER 244  
DRAINAGE DITCH OUTLETS  
S. F. 101

AN ACT relating to the clean-out of an outlet ditch of an outlet drainage district and providing for the notice and hearing on said clean-out and assessment of said outlet drainage ditch.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section four hundred fifty-five point one hundred forty-  
2 two (455.142), Code 1946, is amended by inserting after the period (.)  
3 following the figures "455.141" in the ninth (9) line of said section, the  
4 sentence "After said board has decided that such work should be done,  
5 it shall fix a date for hearing on its decision, and it shall give two (2)  
6 weeks notice thereof by registered mail to the auditor of the county  
7 wherein the land to be assessed for such work is located, and said  
8 county auditor shall thereupon immediately notify by registered mail  
9 the board or boards of trustees of the districts having supervision  
10 thereof, as to said hearing on said contemplated work."

1 SEC. 2. Section four hundred fifty-five point one hundred forty-three  
2 (455.143), Code 1946, is amended by inserting after the comma (,) fol-  
3 lowing the word "engineer" in line five (5) of said section, the words  
4 "such commissioners appointed shall not be residents of any of the  
5 districts affected, nor shall any member thereof have any interest in  
6 land in any districts affected by the contemplated work."

1 SEC. 3. Section four hundred fifty-five point one hundred forty-  
2 three (455.143), Code 1946, is further amended by striking the word  
3 "to" in line five (5) of said section and by substituting in lieu thereof  
4 the words "such commission shall".

1 SEC. 4. Section four hundred fifty-five point one hundred forty-four  
2 (455.144), Code 1946, is amended by adding to the end thereof the  
3 following: "On the filing of said report, the board shall fix a time for  
4 hearing thereon, and it shall give notice thereof to the auditor of the  
5 county in which the land to be assessed for such work is located by  
6 registered mail; said county auditor shall thereupon immediately notify  
7 by registered mail the board of supervisors, and board or boards of  
8 trustees of the districts having supervision thereof, as to said hearing  
9 on said commissioner's report."

1 SEC. 5. Section four hundred fifty-five point one hundred forty-five  
2 (455.145), Code 1946, is amended by adding to the end of said section  
3 the following: "After the final order of the board herein has been  
4 made, said board shall notify the county auditor, in the time and  
5 manner as provided in the two preceding sections, of said order, and  
6 said county auditor shall notify by registered mail the board of super-  
7 visors, and said board or boards of trustees, of said final order. Said  
8 board of supervisors and said board or boards of trustees, if aggrieved  
9 by said final order, may appeal therefrom to the district court of the  
10 county in which any of the improvement proposed or done is located."

1 SEC. 6. Any such appeal shall be taken, perfected and conducted in  
2 the time and manner provided in sections four hundred fifty-five point

3 ninety-two (455.92), four hundred fifty-five point ninety-four (455.94),  
 4 four hundred fifty-five point ninety-five (455.95), four hundred fifty-  
 5 five point ninety-six (455.96), four hundred fifty-five point ninety-  
 6 seven (455.97), and four hundred fifty-five point ninety-eight (455.98),  
 7 Code 1946, for appeals contemplated by said sections.

Approved April 1, 1947.

## CHAPTER 245

### FLOOD CONTROL

S. F. 400

AN ACT to enable levee and drainage districts heretofore organized under the laws of this state, to cooperate with any agency of the United States government engaged in flood control or reclamation projects which will benefit the lands in such districts and to cooperate toward the construction of improvements by such agencies.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Chapter four hundred fifty-five\* (455) of the 1946  
 2 Code of Iowa is amended by adding the following:

1 SEC. 2. Whenever Government of the United States acting through  
 2 its proper agencies or instrumentalities will undertake the original  
 3 construction of improvements or the repair or alteration of existing  
 4 improvements which will accomplish the purposes for which the  
 5 district was established or aid in the accomplishment thereof and  
 6 shall cause to be filed in the office of the auditor of the county in which  
 7 said district is located a plan of such improvement or for the repair  
 8 or alteration of existing improvements, the Board shall have jurisdic-  
 9 tion, power and authority, upon the notice, hearing and determination  
 10 hereinafter provided, to adopt such plan of improvement or of repair  
 11 or alteration of existing improvements and to provide necessary  
 12 right of way therefor, and to pay such portion of all costs and damages  
 13 incident to the adoption of such plan, the construction thereunder  
 14 and the maintenance and operation of the works as will not be  
 15 discharged by the Federal Government under legislation existing at  
 16 the time of adoption; also to enter into such agreements with the  
 17 United States Government as may be necessary to meet Federal  
 18 requirements including the taking over, repair and maintenance of  
 19 the works and to perform under such agreements.

1 SEC. 3. The agreement with the Federal Government contemplated  
 2 in the preceding section may be entered into by the Board in advance  
 3 of the filing of the plan—such agreement to be effective if the plan  
 4 is finally adopted. If the plan is approved the Board shall make a  
 5 record of any such cooperative agreement.

1 SEC. 4. After the filing of the plan contemplated in Section 1  
 2 hereof the Board shall, at its first session thereafter, regular, special  
 3 or adjourned, appoint a disinterested and competent civil or drainage

\*Words supplied by code editor, see §3.1 of the code.